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<b>Purpose</b>	To outline when and how participant claims may be assessed within the WIC program.
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<b>When to File a Claim</b>	<p>When it is determined that program benefits have been obtained or disposed of improperly as the result of a participant violation –</p> <ul style="list-style-type: none"><li>• A claim against the participant for the full value of such benefits must be made.</li></ul>
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<b>Definition of Participant Violations</b>	<p>Any intentional action of a participant, parent or caretaker of an infant or child participant, or proxy that violates Federal, State statutes, regulations, policies, or procedures governing the Program. These violations include:</p> <ul style="list-style-type: none"><li>• Intentionally making false or misleading statements.</li><li>• Intentionally misrepresenting, concealing, or withholding facts to obtain benefits.</li><li>• Exchanging food instruments or supplemental foods for cash, credit, non-food items, or unauthorized food items, including supplemental foods in excess of those listed on the participant's food instruments.</li><li>• Threatening to harm clinic or vendor staff.</li><li>• Physically harming clinic or vendor staff.</li><li>• Dual participation.</li></ul>
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<b>How A Claim Is Established</b>	<p>A certified, return receipt letter will be issued by the State WIC Office demanding repayment for <i><b>all claims</b></i>. For program purposes this will establish the claim for repayment of benefits obtained improperly by the participant.</p>
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<b>Notice of Right to a Fair Hearing</b>	<p>Participants will be notified of the procedures to follow to obtain a fair hearing and that failure to pay the claim may result in disqualification from the program in the letter they receive which establishes the claim.</p>

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<b>Resolution of a Claim</b>	<p>Within 30 days of receipt of the claims letter by the participant the following must happen:</p> <ul style="list-style-type: none"><li>• Restitution in full is made</li><li>• A repayment schedule is agreed upon</li></ul> <p>If within 30 days of receipt of the claims letter by the participant full restitution is not made to the State agency or a repayment schedule is not agreed upon by the State agency additional collection actions will be taken until any one of the following occurs:</p> <ul style="list-style-type: none"><li>• Full restitution is made</li><li>• A repayment schedule is agreed upon</li><li>• It is determined by the state that further collection actions would not be cost effective.</li></ul>
<b>Repayment of Claims</b>	<p>Repayment of claims will be collected and monitored by the State WIC Office according to established procedures</p>
<b>Subsequent Claims</b>	<p>Subsequent claims may be established against participants. Each claim will be established and monitored separately</p>
<b>Timeframe For Disqualification as a Result of Claims</b>	<p>The timeframe to be considered for mandatory disqualification as a result of a subsequent claim is that the violations must have occurred within the same certification period of the participant.</p>

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